

**OPINION  
56-23**

March 22, 1956            (OPINION)

CITIES

RE:   Constructing Fire Station - Use of Free Labor

In your letter of March 15, 1956, you wish to know if your city can construct a fire station without asking for bids; your purpose, as stated, is to save money by using donated labor when possible.

Chapter 48-02 of the 1943 Revised Code contains the laws concerning construction of public buildings; as you will see upon referring to that chapter, the law clearly requires, among other things advertisement for bids, if project amounts to three thousand dollars or more.

Assuming, however, that your city cannot afford to build a fire station without the use of donated labor, we find nothing in the law to prevent advertising for bids upon condition that a certain percentage of the labor to be performed be donated by citizens.

LESLIE R. BURGUM

Attorney General